

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

JOSEPH H. YENNIE,

Case No. 19-CV-0565 (PJS/SER)

Petitioner,

v.

ORDER

RODNEY BARTSH,

Respondent.

The above-captioned case comes before the undersigned on the Report and Recommendation of United States Magistrate Judge Steven E. Rau. No objections to the Report and Recommendation were filed within the requisite time period. Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner Joseph H. Yennie's Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody, ECF No. 1, is **DENIED WITHOUT PREJUDICE**.
2. Yennie's Motion to Expedite, ECF No. 2; Motion to Restrain and Injunction of Sentencing Order Ordering Petitioner to Report for Incarceration, ECF No. 3; and Order for Release, ECF No. 6, are **DENIED** as moot.
3. No certificate of appealability will be granted.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 8, 2019

s/Patrick J. Schiltz

Patrick J. Schiltz
U.S. District Judge